

# REQUEST FOR ACTION BY:

TOWN OF CLARENCE, N.Y.

- ☒ Appeal Board  
☐ Planning Board  
☐ Town Board

- ☒ Appeal  
☐ Rezone  
☐ Revise Ordinance  
☐ Subdivision  
☐ Limited Use Permit  
☐ Other

Rec'd. by: Jonathan Bleuer

Date October 10, 2014

Action Desired Applicant requests a variance of 6' to allow for a 6.5' side yard setback for a proposed attached garage addition located at 5722 Field Brook Drive.

Principle structure is located within the Residential Single Family zone.

Reason

Town Code Reference:

§229-52 (B)

## PLEASE PRINT

Name Enas Eldesouki

Address 5722 Field Brook Drive

East Amherst NY 14051

Town/City State Zip  
Phone 200-9770

Signed SIGNATURE ON FILE

Requests for action on zoning should be filled out completely in above spaces if practicable; otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filed with the Secretary of the Planning Board. Requests (except appeals) may be filed with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time.

### Initial Action

Approved ☐  
Rejected ☐ by ..... on ..... 19 .....  
Approved ☐  
Rejected ☐ by ..... on ..... 19 .....  
Published (Attach Clipping) ..... on ..... 19 .....  
Hearing Held by ..... on ..... 19 .....

### Final Action Taken

Approved ☐  
Rejected ☐ by ..... on ..... 19 .....  
Published (Attach Clipping) ..... on ..... 19 .....  
Filed with Town Clerk ..... on ..... 19 .....  
Filed with County Clerk ..... on ..... 19 .....



Proposed 336 sq. ft. attached garage addition

Proposed 6.5' side yard setback

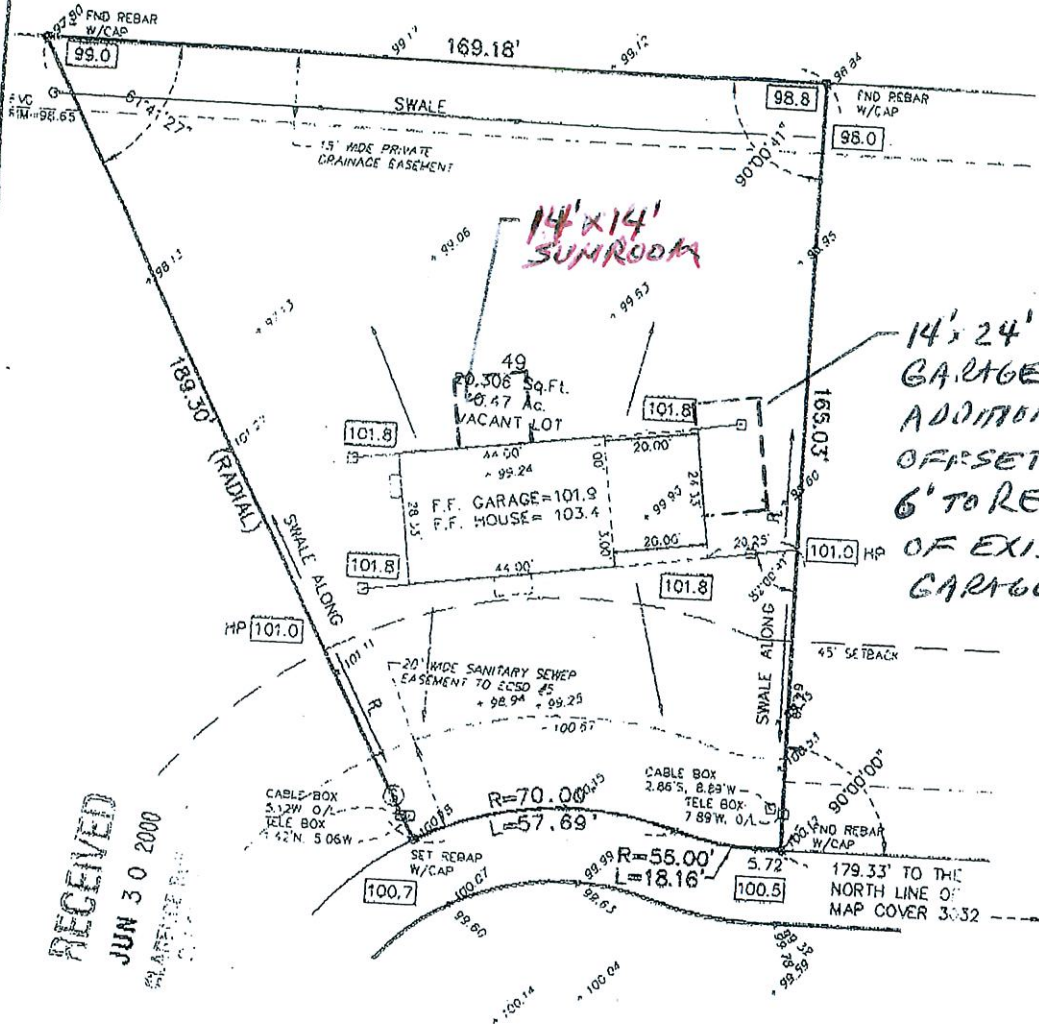
\* note the parcel lines displayed are approximate

5722 Field Brook Drive



NORTH

T-390 P0003/0003 F-929



RECEIVED  
JUN 30 2000

STATE OF NEW YORK  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

LEGEND

- 100.0 PROPOSED GRADE
- 100.0 EXISTING GRADE
- RUNOFF DIRECTION

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MAP MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL AND SIGNATURE SHALL BE CONSIDERED TO BE VALID TRUE COPIES

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH



PART OF LOT 3  
MAP COVER 3032  
LOCATED IN TOWN OF CLARENCE, STATE OF NEW YORK  
**WM. SCHUTT & ASSOCIATES, P.C.**  
SUCCESSORS TO THE SURVEY RECORDS OF KREHBIEL ASSOCIATES

**WSA**

ENGINEERING  
LAND SURVEYING

3380 GENESSEE STREET P.O. BOX 48  
BOHANNANSVILLE, NEW YORK 14026-0048  
TEL: (716) 583-5961 FAX: (716) 583-0169

© COPYRIGHT 2000 WM. SCHUTT & ASSOCIATES P.C.

SECT: 15 TWP: 12 RGE: 6  
SUB LOT: 49 B.L.K.

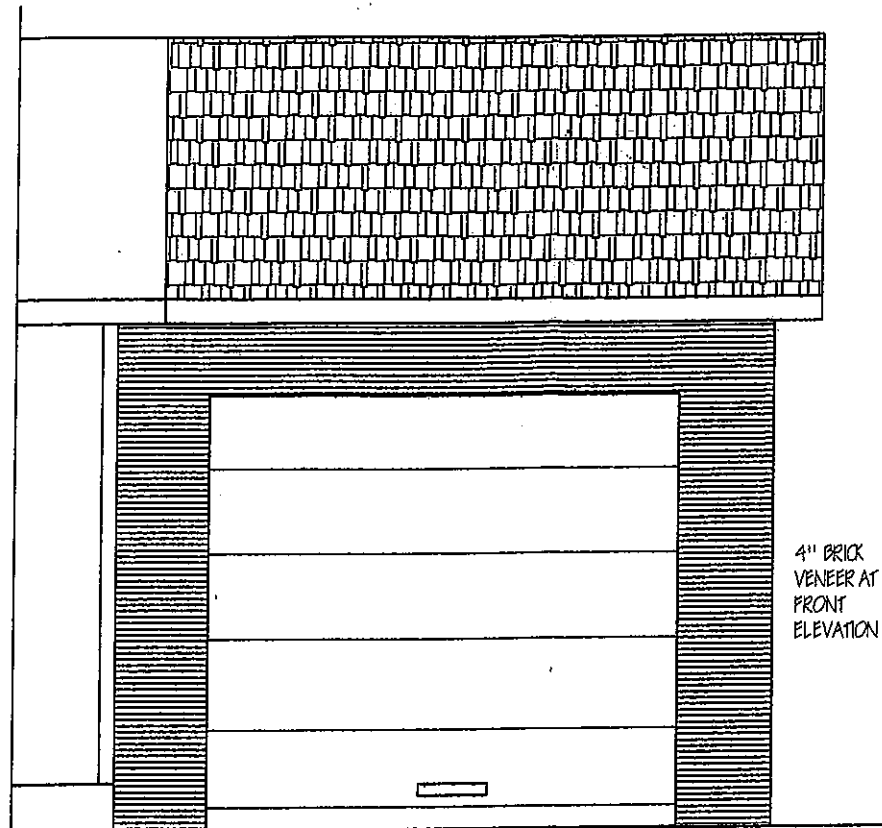
DRAWING REVISIONS  
DATE DESCRIPTION

WARNING:  
ALTERING THIS DOCUMENT IS IN VIOLATION OF THE LAW  
EXCEPTING AS PROVIDED IN SECTION 7209 PART 2 OF  
OF THE NEW YORK STATE EDUCATION LAW

SCALE: 1"=30'  
DATE: 6/8/00 JOB NUMBER: 00241  
DWG: A/00241/01

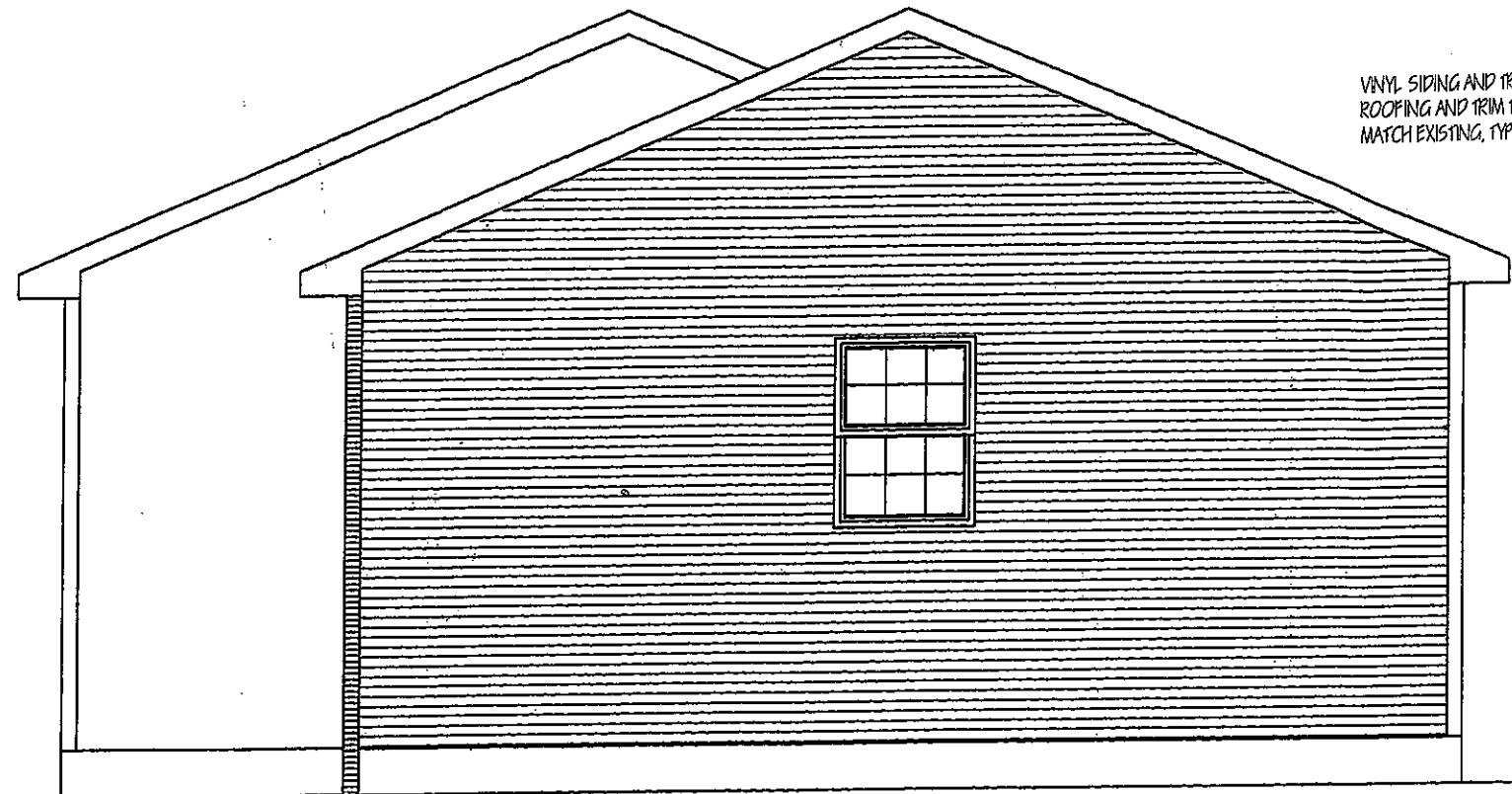
VARIANCE IN PROCESS

12.5'  
6' VAR  
REQUEST



**FRONT ELEV.**

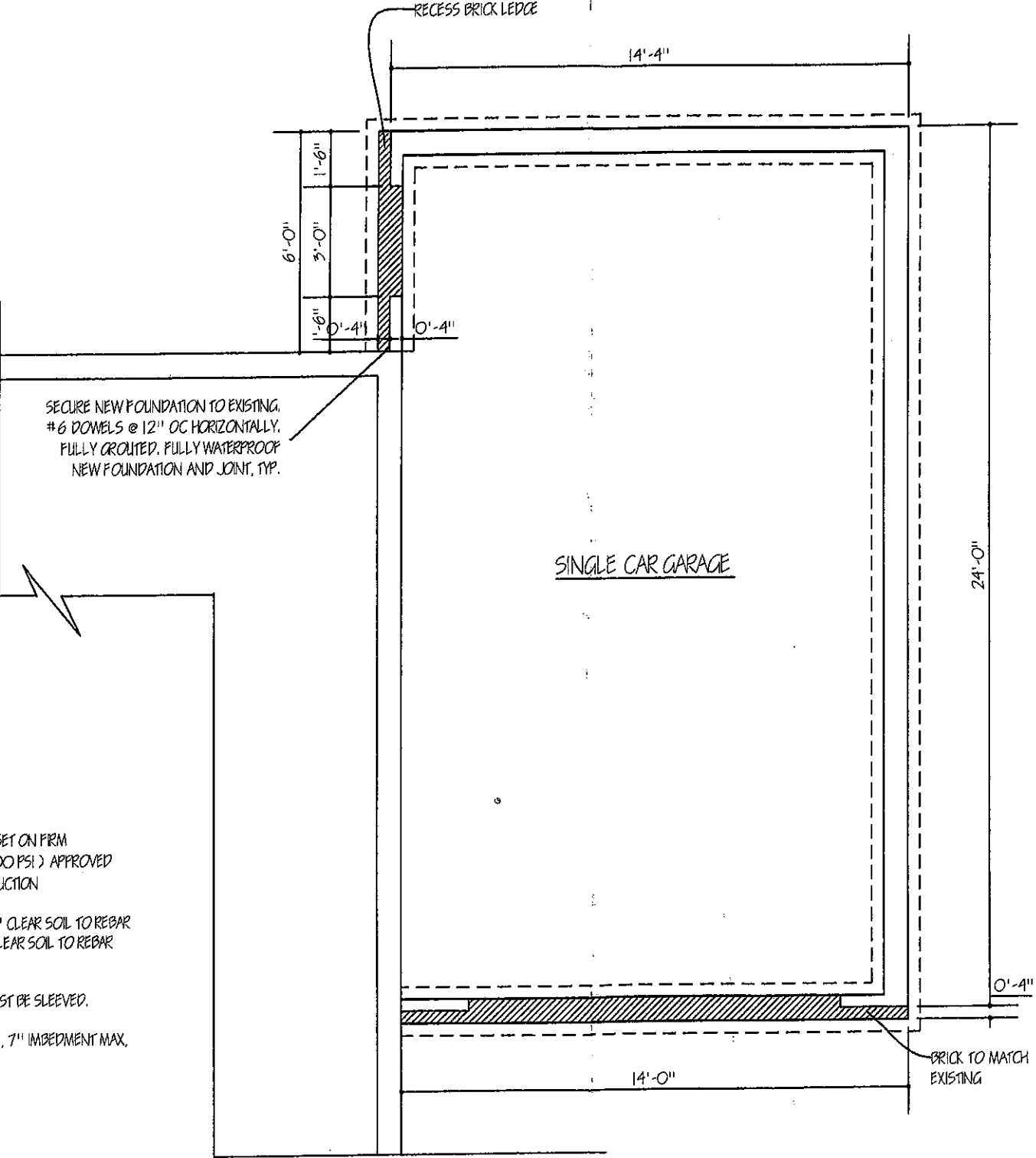
1/4" = 1'-0"



**SIDE ELEV.**

1/4" = 1'-0"

DESIGN FOR THIS PROJECT HAS BEEN PREPARED FOR  
AN ASSUMED SOIL BEARING CAPACITY OF 2000 PSF.  
ACTUAL SOIL BEARING CAPACITY TO BE CONFIRMED  
BY THE OWNER, VIA AN INDEPENDENT, PROFESSIONAL  
TESTING AGENCY, RECOGNIZED BY THE MUNICIPALITY.  
IF TEST RESULTS ARE LOWER THAN ASSUMED CAPACITY, NOTIFY  
ARCHITECT OF FINDING PRIOR TO THE START OF  
CONSTRUCTION.



THIS PLAN IS DESIGNED TO SET ON FIRM  
ORIGINAL SOIL ONLY (2000 PSI) APPROVED  
BY OWNER BEFORE CONSTRUCTION

12" MIN. SPLICE LAP, 8.75" CLEAR SOIL TO REBAR  
ON 10" WALLS, 5" MIN. CLEAR SOIL TO REBAR

ALL PIPE PENETRATIONS MUST BE SLEEVED.

ANCHOR BOLTS: 1/2" MIN., 7" IMBEDMENT MAX,  
6'-0" SPACING, MAX.



# FOUNDATION PLAN

ELDESOUKI RESIDENCE

ELD BROOK, EAST AMHERST, NEW YORK 14051

# REQUEST FOR ACTION BY:

TOWN OF CLARENCE, N.Y.

- ☒ Appeal Board  
☐ Planning Board  
☐ Town Board

- ☒ Appeal  
☐ Rezone  
☐ Revise Ordinance  
☐ Subdivision  
☐ Limited Use Permit  
☐ Other

Rec'd. by: Jonathan Bleuer

Date October 23, 2014

**Action Desired** Applicant requests a variance of 568 sq. ft. to allow for the construction of a 768 sq. ft. detached garage located at 9890 Main Street. Principle structure located within the Commercial Zone, Proposed accessory structure located within the Residential Single Family Zone.

**Reason**

Town Code Reference:

§229-55 (H)

## PLEASE PRINT

**Name** Nancy Lipinoga

**Address** 9890 Main Street

Clarence NY 14031

**Town/City**  
**Phone**

**State**

**Zip**

**Signed** SIGNATURE ON FILE

Requests for action on zoning should be filled out completely in above spaces if practicable; otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filed with the Secretary of the Planning Board. Requests (except appeals) may be filed with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time.

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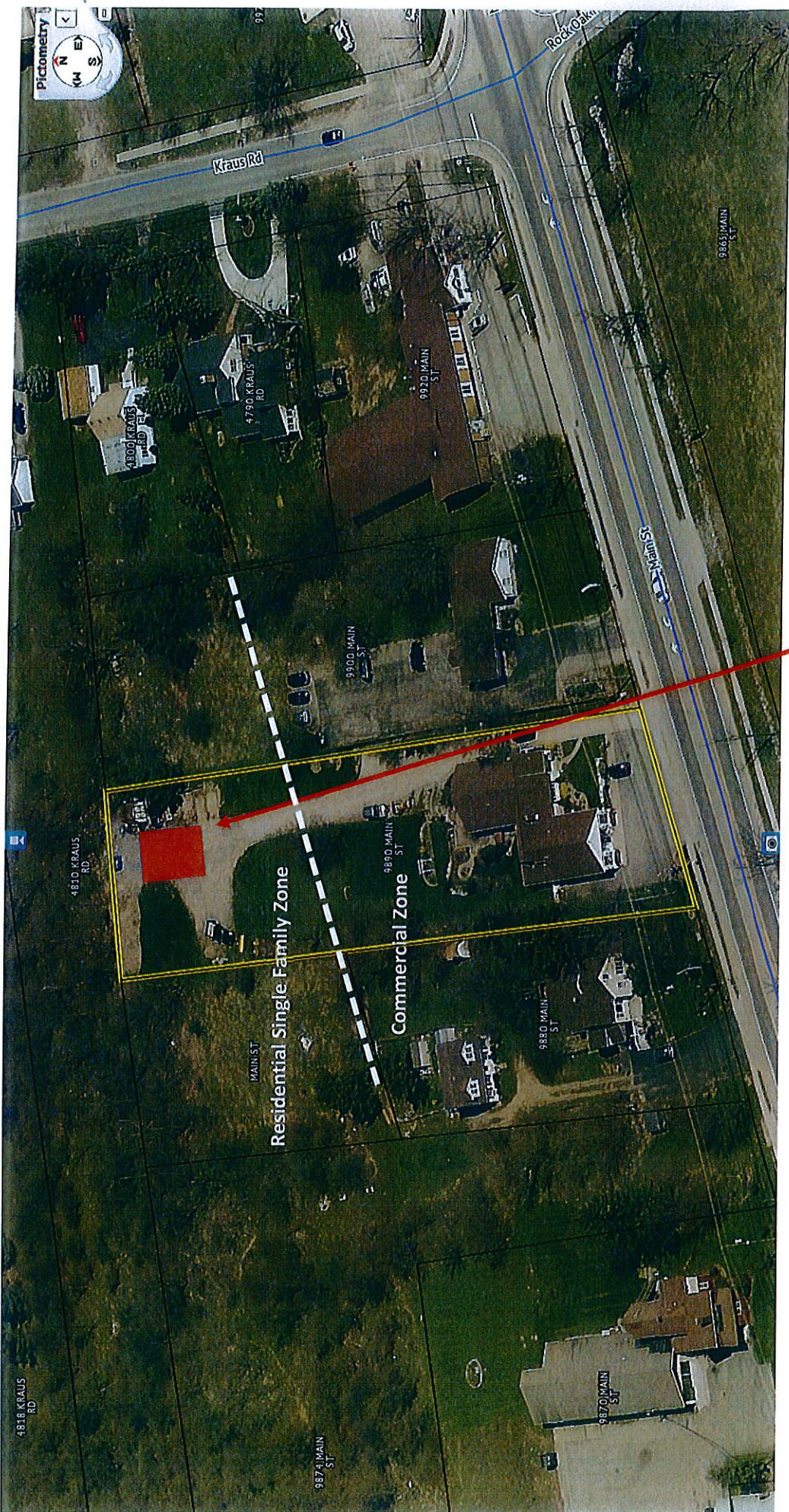
on ..... 19 .....

Filed with Town Clerk

on ..... 19 .....

Filed with County Clerk

on ..... 19 .....



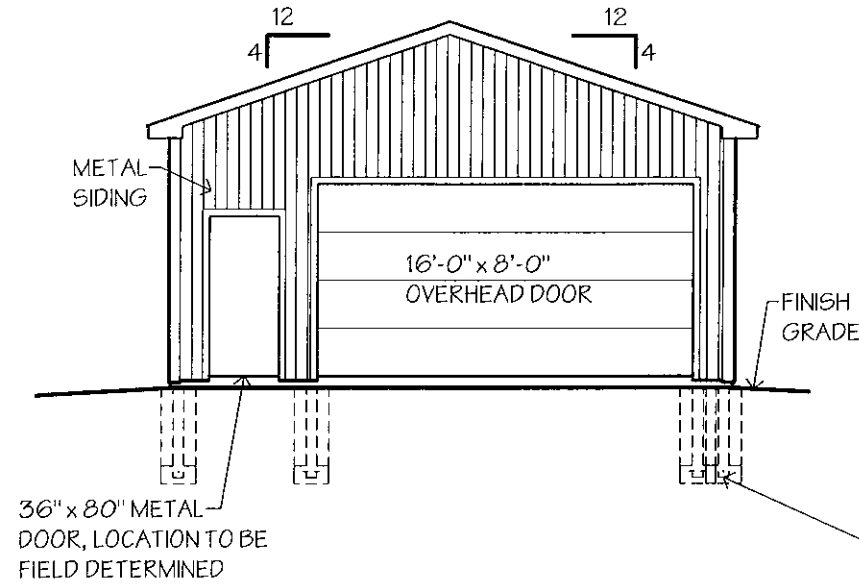
Proposed 768 sq. ft. detached garage



\* note the parcel lines displayed are approximate

9890 Main Street

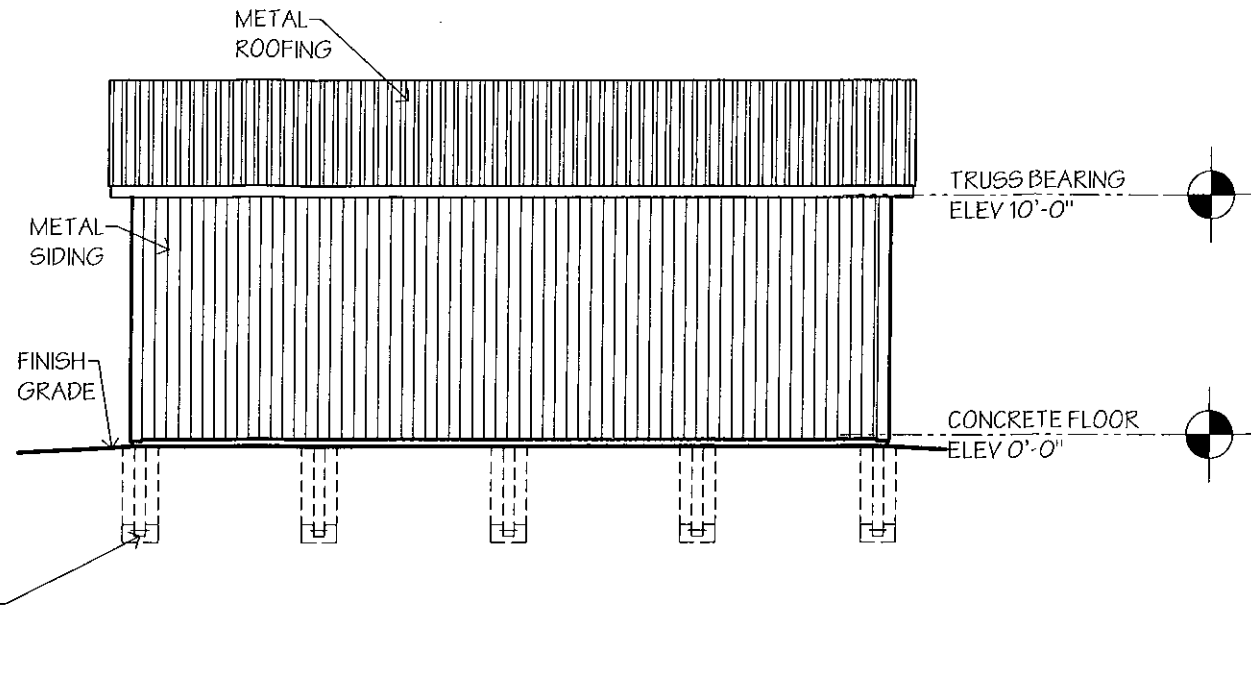
Z:\2014\2014-25\14-246 Parco Lipinoga\Final\ELEV.dwg, 9/29/2014 11:15:26 AM, Xerox WC7525 GPD PCL6 V3.0



FRONT ELEVATION

1/8" = 1'-0"

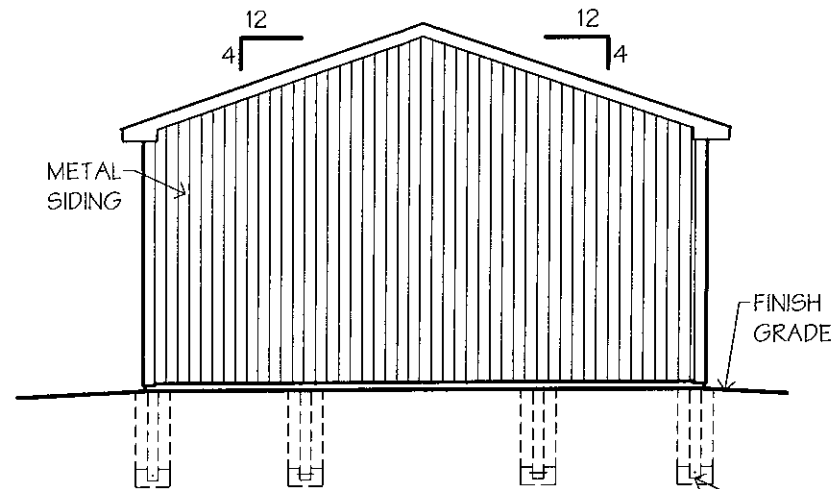
1



RIGHT SIDE ELEVATION

1/8" = 1'-0"

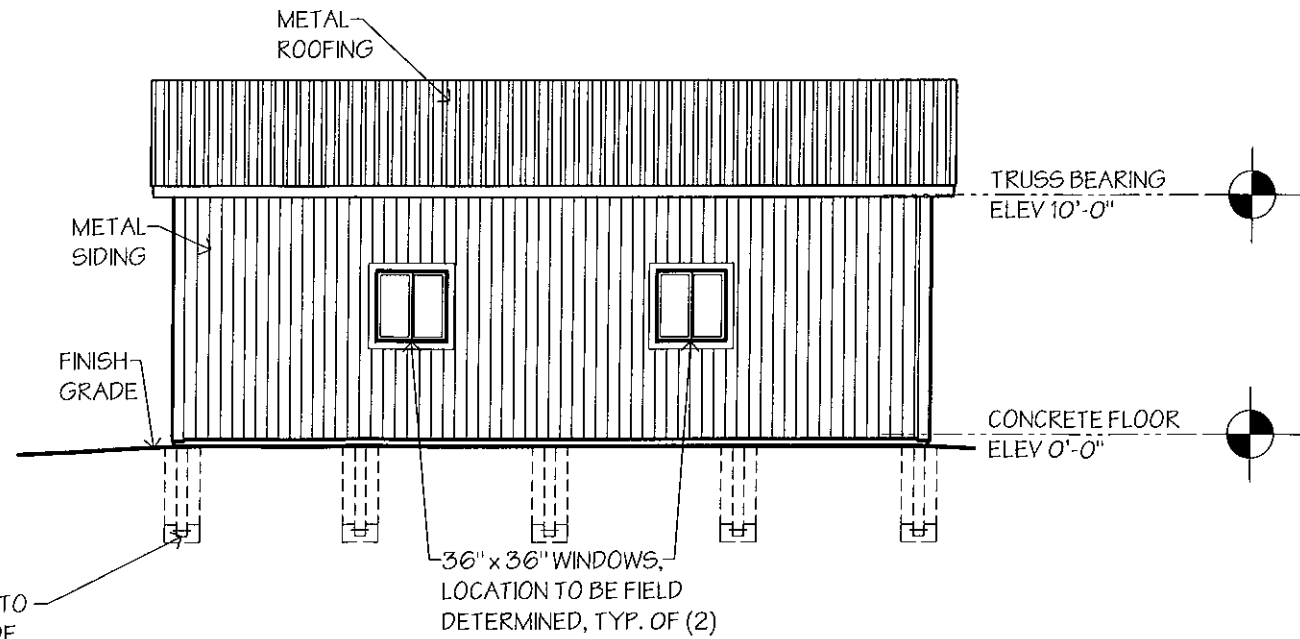
2



REAR ELEVATION

1/8" = 1'-0"

3



LEFT SIDE ELEVATION

1/8" = 1'-0"

4

PARCO

BUILDING SYSTEMS, INC

6140 FIRST STREET, NEWFANE, NY 14108  
716-778-8552, FAX 716-778-8961, 1-800-784-4361  
charles.a.dahlke, registered architect • 6701 s. transit road, suite 3, lockport, new york 14094 • 716 - 957 - 9747 • cadahlke@lifedesignarchitecture.com

PROJECT TITLE / LOCATION:

LIPINOGA POLE STRUCTURE  
CLARENCE, NEW YORK

DRAWING NO:

A-1

14-246

SCALE:

AS SHOWN

CONTENTS ON SHEET:

EXTERIOR ELEVATIONS

DATE:

9-29-14

CONTENTS ON SHEET:

SHEET 2 OF 4

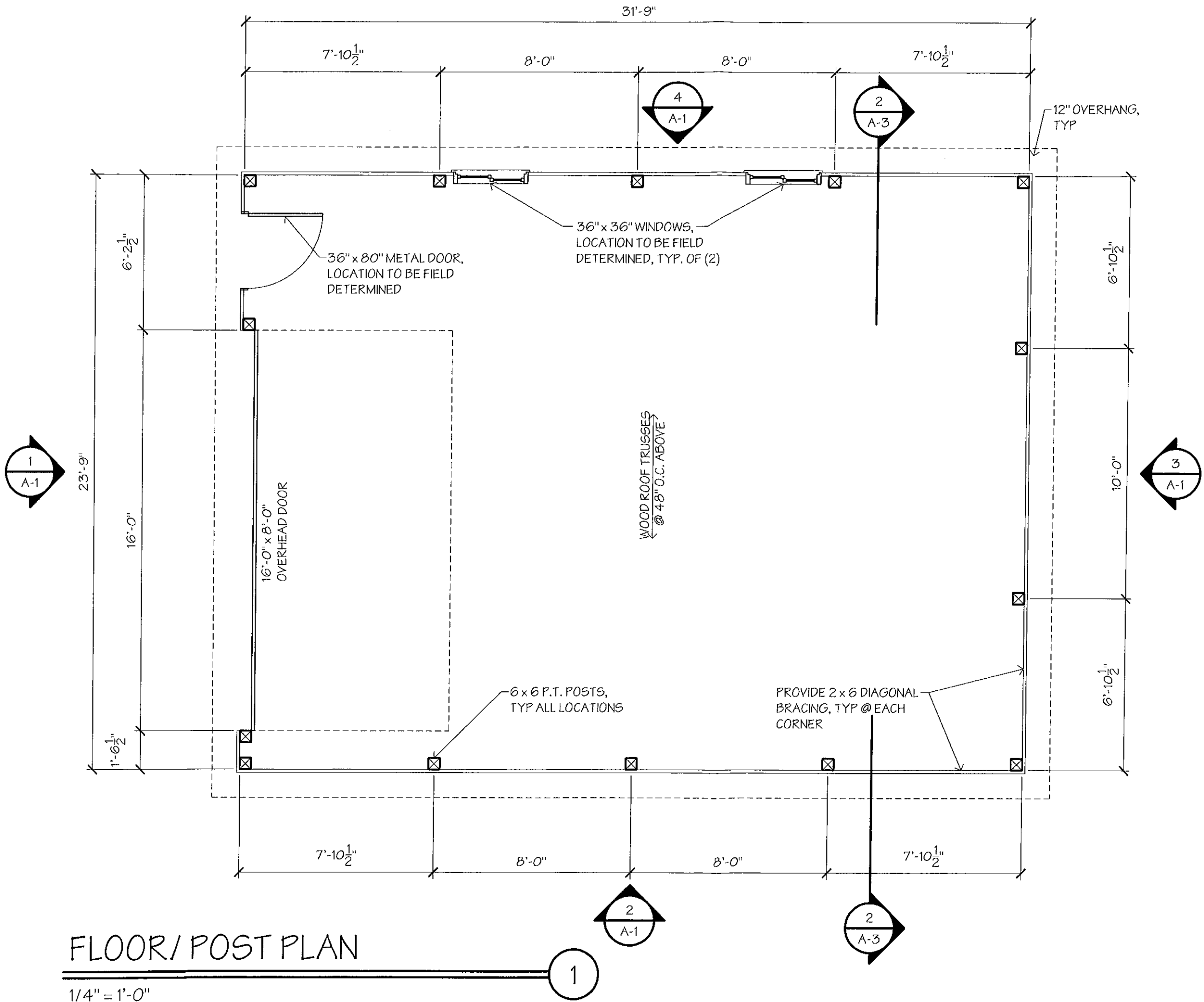
Life by Design  
designs to build your life on

Charles Dahlke

NOTE: IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED ARCHITECT, TO ALTER THIS DOCUMENT IN ANY WAY.

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Z:\2014\201-25\14-246 Parco Lipinoga\Final\FLOOR.dwg, 9/29/2014 11:15:42 AM, Xerox WC525 GPD PCL6 V3.0



# PARCO BUILDING SYSTEMS, INC

6140 FIRST STREET, NEWFANE, NY 14108  
716-778-8552, FAX 716-778-8961, 1-800-784-4361  
cadahike@lifedesignarchitecture.com

PROJECT TITLE / LOCATION: LIPINOGA POLE STRUCTURE CLARENCE, NEW YORK	SCALE: AS SHOWN	Life by Design designs to build your life on	9-29-14
CONTENTS ON SHEET: FLOOR / POST PLAN	DATE: 9-29-14	CONTENTS ON SHEET: SHEET 3 OF 4	
DRAWING NO: A-2			

## TYPICAL ROOF

- 29 GAGE STEEL ROOFING
- 2 x 4 PURLINS @ 24" O.C.
- WOOD ROOF TRUSSES @ 48" O.C.  
(CERTIFIED TRUSS DESIGN BY MANUF, SUBMIT TRUSS DRAWINGS TO BLDG DEPARTMENT PRIOR TO ERECTION)
- METAL DRIP EDGE
- METAL FASCIA ON 2 x 6 NAILER
- VINYL SOFFIT
- (2) 2 x 12 HEADER, TYP  
UNLESS OTHERWISE NOTED, PROVIDE 2 x 12 SPACERS BETWEEN HEADERS @ TRUSS BEARING POINTS
- GUTTER & DOWNSPOUTS

## TYPICAL EXT WALL

- METAL SIDING
- 2 x 4 GIRTS @ 24" O.C.
- 2 x 8 SKIRT BOARD @ BASE OF POST
- (3)-PLY 2 x 6 GLU-LAM COLUMNS, SPACING AS PER PLANS
- 2 x 6 DIAGONAL BRACING @ CORNERS, TYP

## TYPICAL FLOOR

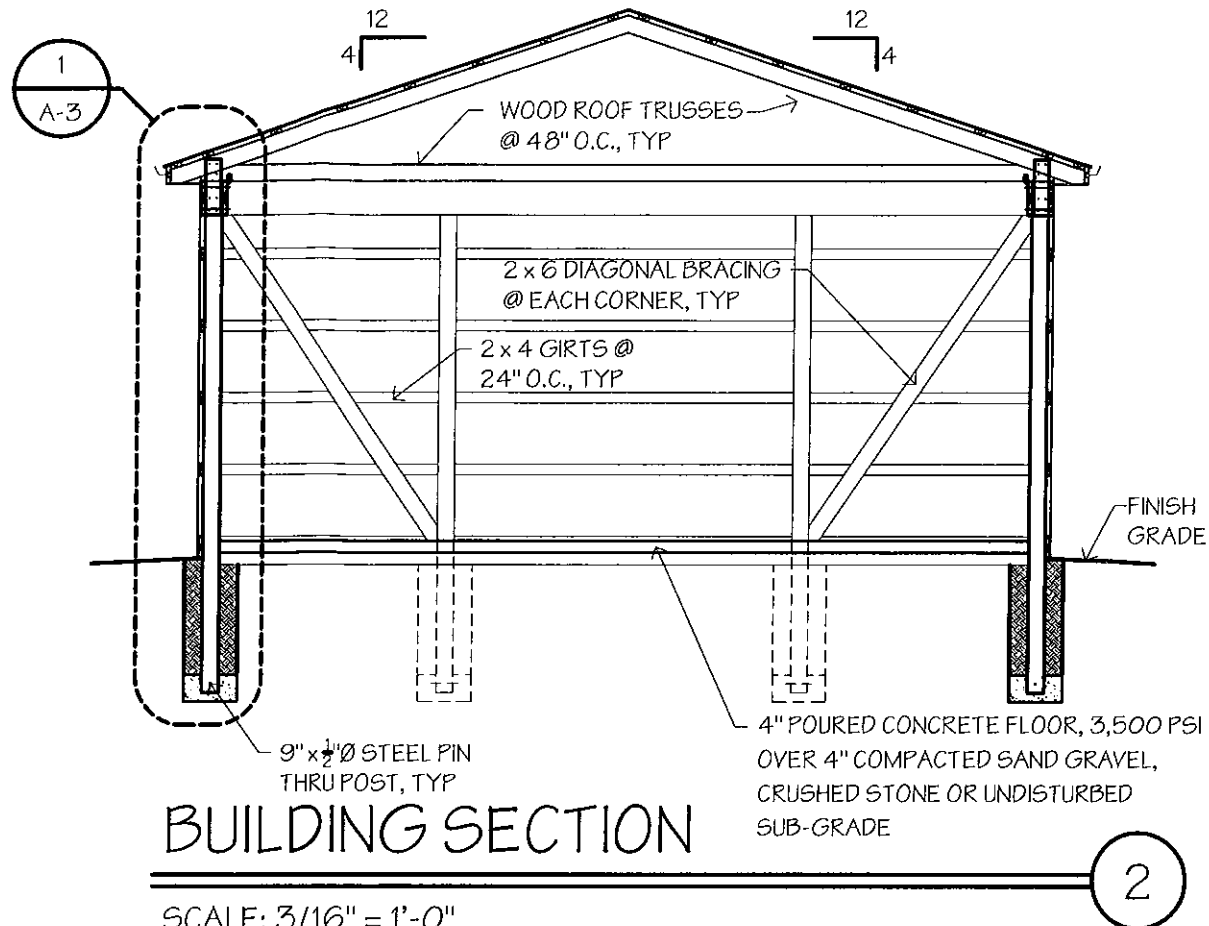
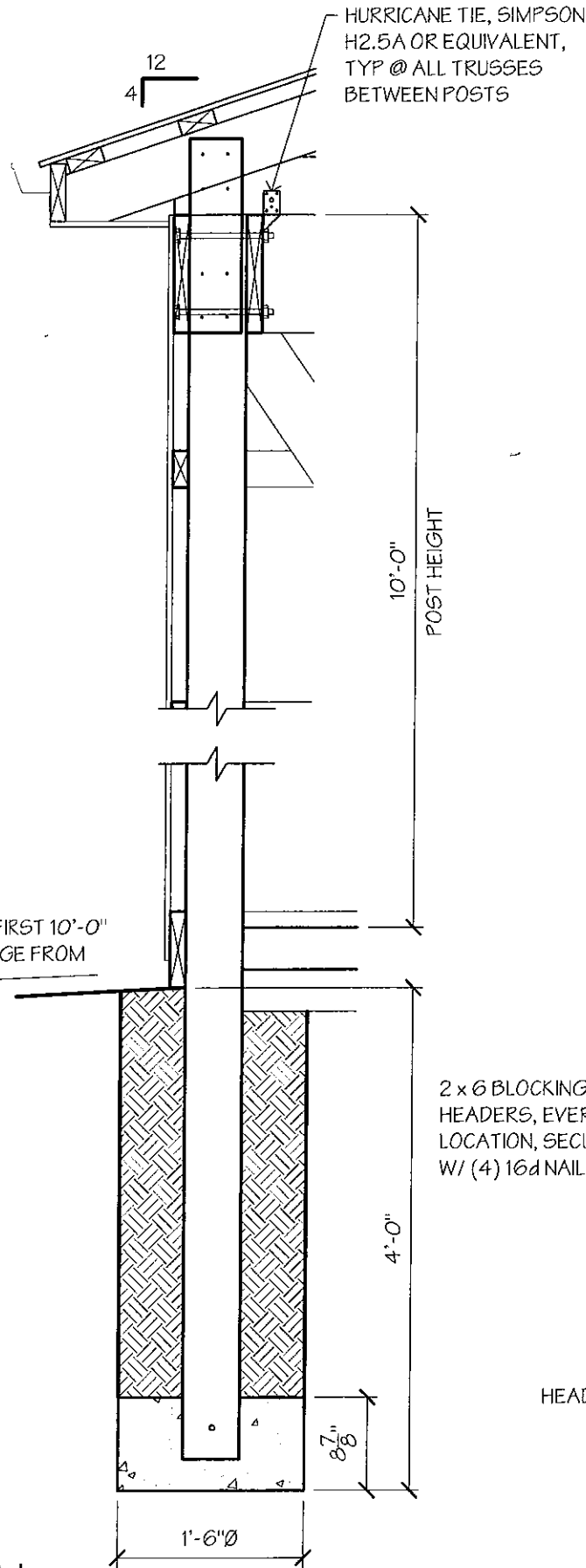
- 4" POURED CONCRETE FLOOR, 3,500 PSI
- 4" COMPACTED SAND, GRAVEL OR CRUSHED STONE

## TYP POST FOOTING

- 18"Ø x 48" DEEP HOLE
- (2) BAGS, 80# DRY MIX CONCRETE
- 9" x 1/2"Ø STEEL PIN THRU POST, TYP
- BACKFILL W/ EXCAVATED MATERIAL

## WALL SECTION

SCALE: 3/4" = 1'-0"



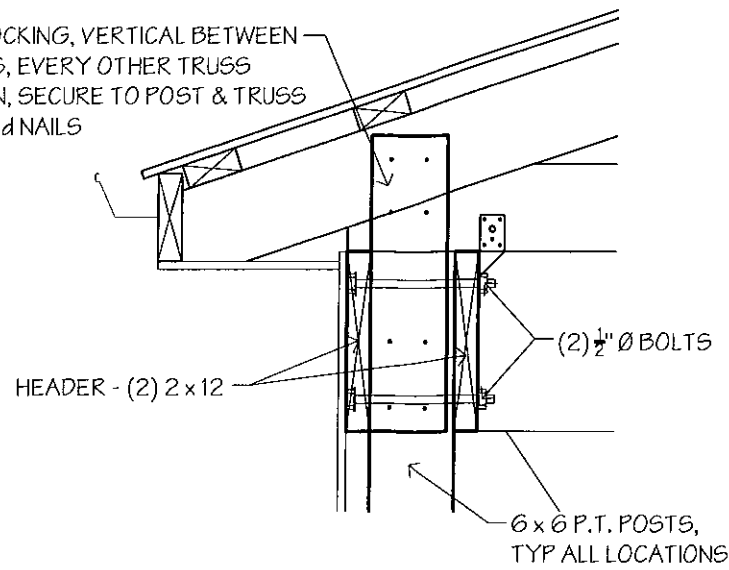
## BUILDING SECTION

SCALE: 3/16" = 1'-0"

CERTIFIED TRUSS DESIGN BY TRUSS MANUF, PROVIDE ENGINEERED, SEALED TRUSS SHOP DRAWINGS TO ARCHITECT, OWNER AND BUILDING DEPARTMENT PRIOR TO ERECTION OF TRUSSES ON SITE.

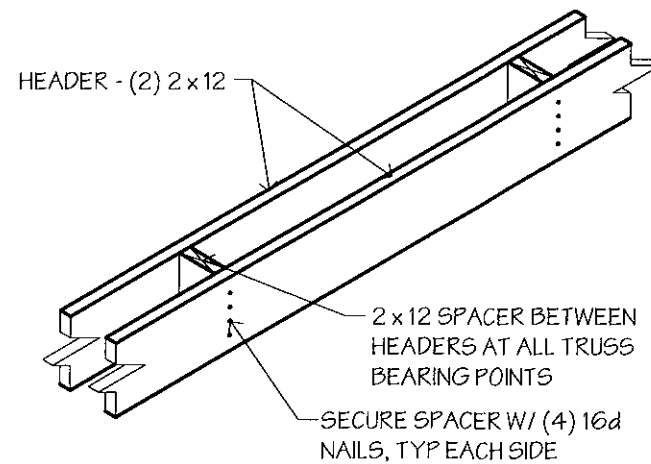
TRUSS MEMBERS SHALL NOT BE CUT, NOTCHED, DRILLED, SPLICED OR OTHERWISE ALTERED IN ANY WAY WITHOUT THE APPROVAL OF A REGISTERED DESIGN PROFESSIONAL

2 x 6 BLOCKING, VERTICAL BETWEEN HEADERS, EVERY OTHER TRUSS LOCATION, SECURE TO POST & TRUSS W/ (4) 16d NAILS



## HEADER DETAIL

SCALE: 1" = 1'-0"



## SPACER DETAIL

SCALE: 1/2" = 1'-0"

**PARCO BUILDING SYSTEMS, INC**

6140 FIRST STREET, NEWFANE, NY 14108  
716-778-8552, FAX 716-778-8961, 1-800-784-4361  
cadanlke@lifedesignarchitecture.com

PROJECT TITLE / LOCATION:

LIPINOGA POLE STRUCTURE  
CLARENCE, NEW YORK

DRAWING NO:

A-3

14-246

*Life by Design*  
designs to build your life on

SCALE:

AS SHOWN

CONTENTS ON SHEET:

WALL/ BUILDING SECTIONS

CONTENTS ON SHEET:

SHEET 4 OF 4

9-29-14

DATE: 9-29-14

NOTE: IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED ARCHITECT, TO ALTER THIS DOCUMENT IN ANY WAY.

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5500 Main Street, Suite 100 ▪ Williamsville, New York 14221 ▪ Fax 716.242.0606

Sean W. Hopkins, Esq. ▪ cell 716.510.4338 ▪ shopkins@hopkinsorgi.com

October 14, 2014

Daniel Michnik, Chairman  
Town of Clarence Zoning Board of Appeals  
One Town Place  
Clarence, New York 14031

RECEIVED

OCT 14 2014

Re: 8230 Wehrle Drive – Wehrle Dome Apartments and Commercial Space  
Variance Application- Town of Clarence Zoning Board of Appeals  
Applicant: Regent Development Inc.  
File No. 4192.2

ZONING OFFICE

Dear Chairman Michnik and Members of the Zoning Board of Appeals:

This letter is being submitted on behalf of Regent Development Inc. (“Applicant”) for the purpose of providing the Zoning Board of Appeals (“ZBA”) with additional documentation and information for its consideration in connection with an environmental review of the proposed project as depicted on the previously submitted plans pursuant to the State Environmental Quality Review Act (“SEQRA”).

**I. Description of Documentation Evaluating Potential Adverse Environmental Impacts:**

The letter submitted to the ZBA by our firm on behalf of the Applicant during its meeting on September 9<sup>th</sup> included copies of reports and studies and other relevant documentation evaluating identified potential adverse environmental impacts of the proposed project including the following:

- Traffic Impact Study prepared by Amy C. Dake, P.E., Senior Traffic Engineer, SRF Associates dated July 21, 2014;<sup>1</sup>
- Comment letter from Amy Dake Amy C. Dake, P.E., Senior Traffic Engineer, SRF Associates dated August 8, 2014;<sup>2</sup>
- Correspondence issued by Michael J. Asklar, P.E., Traffic Safety Engineer, Erie County Department of Public Works, dated August 12, 2014;<sup>3</sup>

<sup>1</sup> A copy of the comprehensive Traffic Impact Study (“TIS”) prepared by SRF Associates was attached as Exhibit “4” of the letter from Sean Hopkins, Esq. to the ZBA dated September 9, 2014.

<sup>2</sup> A copy of this letter that was prepared based on comments issued by the Executive Committee of the Planning Board based on its review of the TIS was attached as Exhibit “5” of the letter from Sean Hopkins, Esq. to the ZBA dated September 9, 2014.

<sup>3</sup> A copy of this correspondence was attached as Exhibit “6” of the letter from Sean Hopkins, Esq. to the ZBA dated September 9, 2014. It is important to mention that Wehrle Drive is an Erie County Highway. This letter stated, “...This project will not result in any adverse impacts to the affected county highway

- Comment letter from Michael Metzger, P.E., of Metzger Civil Engineering, PLLC, dated July 11, 2014;<sup>4</sup> and
- No Impact letter issued by Ruth Pierpont, Deputy Commissioner for Historic Preservation, New York State Office of Parks, Recreation and Historic Preservation dated June 6, 2014.<sup>5</sup>

The following additional documentation being submitted to the ZBA for its consideration in connection with an environmental review of the proposed project pursuant to SEQRA consists of the following:

- Exhibit A: Part 1 of Long Environmental Assessment Form with Attachment "1";
- Exhibit B: Correspondence issued by David Denk, Regional Permit Administrator, New York State Department of Environmental Conservation ("NYSDEC") dated May 20, 2014;<sup>6</sup> and
- Exhibit C: Negative Declaration issued by the Town Board pursuant to SEQRA on August 27, 2014;

## **II. The Coordinated Environmental Review of the Proposed Project pursuant to SEQRA Conducted by the Town Board:**

The Town Board previously completed a coordinated environmental review of the proposed project pursuant to SEQRA and the final step in its comprehensive environmental review its issuance of a negative declaration on August 27, 2014. A copy of the negative declaration issued by the Town Board on August 27, 2014 is attached as Exhibit "3".

The ZBA is required to conduct an environmental review of the project pursuant to SEQRA in connection with its review of the pending requested area variance because it did not participate as an involved agency in connection with the coordinated environmental review conducted by the Town Board. The reason the ZBA did not participate in the previous environmental review was because at the time the Town Board commenced its coordinated environmental review of the proposed project, an area variance was not required from the ZBA since the project complied

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based on the projected trips to be generated, the capacity analysis contained in the TIS and the existing and proposed project roadway connections as evaluated in the TIS."

<sup>4</sup> A copy of this letter is attached as Exhibit "7" of the letter from Sean Hopkins, Esq. to the ZBA dated September 9, 2014. This letter was prepared by Michael Metzger, P.E. for the purpose of responding to engineering and sanitary sewer related comments provided by the Erie County Department of Environment and Planning to the Town as part of the coordinated environmental review of the Project pursuant to SEQRA.

<sup>5</sup> A copy of this letter is attached as Exhibit "8" of the letter from Sean Hopkins, Esq. to the ZBA dated September 9, 2014. The letter issued by Ruth Pierpont of SHPO stated, "[I]t is OPRHP's opinion that your project will have No Impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places."

<sup>6</sup> The lead agency concurrence letter issued by the NYSDEC is important since the NYSDEC did not raise any concerns regarding the potential existence of federal or NYS freshwater wetlands, endangered or protected species of habitat, etc.

with the maximum allowable density pursuant to the Multifamily Law adopted by the Town Board on June 26, 2013.

**III. The Issuance a Negative Declaration by the ZBA is Appropriate:**

The issuance of a negative declaration pursuant to SEQRA by the ZBA is appropriate since the proposed project will not result in any potentially significant adverse environmental impacts. As mentioned previously, the Town Board conducted a coordinated environmental review of the proposed project pursuant to SEQRA that included input from numerous involved and interested agencies including the Town's Planning Board, the New York State Department of Environmental Conservation ("NYSDEC"), the New York State Office of Parks, Recreation and Historic Preservation ("SHPO"), the Erie County Department of Environment and Planning ("ECDEP") and the Erie County Division of Highway ("ECDH").

None of these agencies advised the Town Board that they believed the proposed project would result in potentially significant adverse environmental impacts pursuant to SEQRA.

**IV. Conclusion:**

The Applicant respectfully requests that the ZBA issue a negative declaration pursuant to SEQRA and grant the requested area variance to allow the multifamily component of the Project to consist of 124 upscale apartments and related site improvements as depicted on the full size Variance Application Plan.

It is clear the benefits that will be received by Applicant if the requested area variance is granted clearly outweighs any resulting detriments per the statutorily mandated balancing test and five criteria and that as such the granting of the requested area variance is both justified and proper.

If the ZBA needs any additional documentation or information prior to its next meeting on Tuesday, November 11<sup>th</sup>, please feel free to contact me with any questions at 510-4338 or via e-mail at [shopkins@hopkinssorgi.com](mailto:shopkins@hopkinssorgi.com).

Thank you very much for your continued cooperation.

Sincerely,

HOPKINS & SORGI, PLLC



Sean W. Hopkins, Esq.

cc: Ryan Mills, Vice Chairman  
David D'Amato, Boardmember  
Patricia Burkard, Boardmember  
Richard McNamara, Boardmember  
Gregory Thrun, Boardmember  
Steven Bengart, Esq., Deputy Town Attorney

**Correspondence to Daniel Michnik, Chairman, Town of Clarence ZBA**  
**October 14, 2014**  
**Page 4 of 4**

James Callahan, Director of Community Development  
Richard Lippes, Esq. [Via E-mail and Mail]  
David Huck, Regent Development Inc.  
Phil Silvestri, R.A., Silvestri Architects, P.C.  
Michael Metzger, P.E., Metzger Civil Engineering PLLC

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**EXHIBIT A – PART 1 OF LONG  
ENVIRONMENTAL ASSESSMENT FORM  
WITH ATTACHMENT 1**

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**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Sponsor Information.**

Name of Action or Project: Wehrle Dome Apartments and Commercial Space		
Project Location (describe, and attach a general location map): 8230 Wehrle Drive		
Brief Description of Proposed Action (include purpose or need): The proposed project consists of the redevelopment of the approximately 15.5 acre Project Site as 124 upscale apartments, the re-use of an existing 11,240 sq. ft. building for commercial purposes and a new commercial building along the Wehrle Drive frontage with a size of approximately 15,280 sq. ft. The project layout is depicted on the Site Plan prepared by Silvestri Architects, P.C. submitted with the Variance Application. The proposed project ("action") has been defined broadly to include all required discretionary approvals and permits from the Town of Clarence [including a special exception use permit for multifamily use, the pending requested density area variance from the Zoning Board of Appeals; minor subdivision approval to create separate parcels for the commercial and residential components of the overall project and development plan/site plan approval] and involved agencies as well as all proposed site improvements including the demolition of the existing golf dome building, proposed new commercial and multifamily buildings, parking spaces, access aisles and internal driveways, utility improvements, landscaping and screening, etc. The project is a Type I action pursuant to SEQRA to the Type I action list of the Town of Clarence. NOTE: Exhibit "A" has been attached to this Part 1 of the Long EAF to provide additional information supplementing answers to questions below.		
Name of Applicant/Sponsor: Regent Development c/o Sean Hopkins, Esq.		Telephone: 716.510-4338
		E-Mail: shopkins@hopkinssorgi.com
Address: 5500 Main Street, Suite 100		
City/PO: Williamsville	State: NY	Zip Code: 14221
Project Contact (if not same as sponsor; give name and title/role): Sean Hopkins, Esq., Attorney for Project Sponsor		Telephone: 716.510-4338
		E-Mail: shopkins@hopkinssorgi.com
Address: 5500 Main Street, Suite 100		
City/PO: Williamsville	State: NY	Zip Code: 14221
Property Owner (if not same as sponsor): 8230 Wehrle Drive Inc.		Telephone:
		E-Mail:
Address: 8230 Wehrle Drive		
City/PO: Clarence	State: NY	Zip Code: 14031

## B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town of Clarence Board - Special Exception Use Permit	March 2014
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Town of Clarence Planning Board - Site Plan Approval and Minor Subdivision Approval	March 2014
c. City Council, Town or <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals	Town of Clarence Zoning Board of Appeals - Area Variance for Density	August 2014
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Clarence Building Dept. - Building Permits	To be Determined
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Erie County Authority - Water Connections and RPZ; Erie County Div. of Sew. Mgmt - San. Sewer	To be Determined
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC - Notice of Intent and sanitary sewer connection; NYSOPRHP - No Impact Letter	To be Determined; No Impact Letter issued by NYSOPRHP on June 6, 2014
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none"> <li>If Yes, complete sections C, F and G.</li> <li>If No, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify the plan(s): NYS Heritage Areas: West Erie Canal Corridor	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	

<b>C.3. Zoning</b>	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>The Project Site is zoned Commercial pursuant to the Town of Clarence Zoning Map.</u>	
b. Is the use permitted or allowed by a special or conditional use permit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, i. What is the proposed new zoning for the site? _____	
<b>C.4. Existing community services.</b>	
a. In what school district is the project site located?	<u>Clarence Central School District</u>
b. What police or other public protection forces serve the project site?	<u>Erie County Sheriff's Department and New York State Police</u>
c. Which fire protection and emergency medical services serve the project site?	<u>Harris Hill Volunteer Fire Company</u>
d. What parks serve the project site?	<u>Clarence Town Park and Sunset Park</u>

#### D. Project Details

<b>D.1. Proposed and Potential Development</b>	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? The proposed project includes multifamily and commercial development as required by the Town of Clarence Multifamily Law adopted in 2013 and amended on July 23, 2014	
b. a. Total acreage of the site of the proposed action?	<u>15.5</u> acres
b. Total acreage to be physically disturbed?	<u>12.5</u> acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	<u>15.5</u> acres
c. Is the proposed action an expansion of an existing project or use? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) <u>Minor Subdivision Approval will be needed to create separate parcels for multifamily and commercial components</u>	
ii. Is a cluster/conservation layout proposed? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
iii. Number of lots proposed? <u>2</u>	
iv. Minimum and maximum proposed lot sizes? Minimum <u>3.875</u> Maximum <u>11.624</u>	
e. Will proposed action be constructed in multiple phases? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
i. If No, anticipated period of construction: _____ months	
ii. If Yes:	
• Total number of phases anticipated	<u>2</u>
• Anticipated commencement date of phase 1 (including demolition)	<u>March</u> month <u>2015</u> year
• Anticipated completion date of final phase	<u>Aug</u> month <u>2015</u> year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: <u>The Applicant is proposing an internal vehicular connection to the property directly to the west of the Project Site consisting of the existing Coventry Green Apartments Project. The proposed location is depicted on the Site Plan prepared by Silvestri Architects, P.C.</u>	

f. Does the project include new residential uses? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	124
At completion of all phases	_____	_____	_____	124

g. Does the proposed action include new non-residential construction (including expansions)? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes,	
i. Total number of structures <u>17</u>	
ii. Dimensions (in feet) of largest proposed structure: <u>35'</u> height; <u>70'</u> width; and <u>210'</u> length	
iii. Approximate extent of building space to be heated or cooled: <u>15,280</u> square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes,	
i. Purpose of the impoundment: A storm water management system will be constructed per applicable stringent standards	
ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input checked="" type="checkbox"/> Other specify: <u>Storm water runoff from impervious surfaces on the Project Site in its developed condition</u>	
iii. If other than water, identify the type of impounded/contained liquids and their source.	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: <u>2.5</u> acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): <u>There will be an excavated storm water pond below grade and the pond will not be a dam.</u>	

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
<ul style="list-style-type: none"> <li>• Volume (specify tons or cubic yards): _____</li> <li>• Over what duration of time? _____</li> </ul>	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.	
_____	
iv. Will there be onsite dewatering or processing of excavated materials? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
ix. Summarize site reclamation goals and plan: _____	
_____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	
_____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe:

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water? ☒ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ 35,100 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☒ Yes ☐ No

If Yes:

- Name of district or service area: Erie County Water Authority [No separate districts in Clarence]
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☒ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☒ No

If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes? ☒ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ 35,100 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? ☒ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: Town of Amherst Treatment Plant on Tonawanda Creek Road
- Name of district: Erie County Sanitary District No. 5
- Does the existing wastewater treatment plant have capacity to serve the project? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No

<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>• Will line extension within an existing district be necessary to serve the project? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></li> </ul> <p>If Yes:</p> <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul>	
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):</p> <p>_____</p> <p>_____</p>	
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>_____</p> <p>_____</p>	
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="padding-left: 20px;">_____ Square feet or _____<sup>9</sup> acres (impervious surface)</p> <p style="padding-left: 20px;">_____ Square feet or _____<sup>15.5</sup> acres (parcel size)</p> <p>ii. Describe types of new point sources. <u>None. Storm water from impervious surfaces to be discharged to ground water.</u></p> <p>_____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?</p> <p><u>Stormwater runoff will be conveyed into the on-site storm water detention pond and then ground water wells.</u></p> <p>_____</p> <ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____</li> <li style="padding-left: 20px;"><u>Not Applicable.</u></li> <li>• Will stormwater runoff flow to adjacent properties? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></li> </ul>	
<p>iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</p> <p><u>Mobile sources during construction of the project consisting of construction equipment.</u></p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</p> <p>_____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</p> <p>_____</p>	
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul>	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

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j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend  
☐ Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

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vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☒ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☒ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☒ No

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k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☒ Yes ☐ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_  
72,000 kwh per year

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):  
Local utility company will be the supplier for electricity for the project.

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐ Yes ☐ No

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l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7:00 a.m. to 6:00 p.m.
- Saturday: Same
- Sunday: Same
- Holidays: Same

ii. During Operations:

- Monday - Friday: 7:00 a.m. to 9:00 p.m.
- Saturday: Same
- Sunday: Same
- Holidays: Same

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:  <u>Construction equipment to be used during the construction of the project. Construction equipment will be used during daytime hours.</u></p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>n.. Will the proposed action have outdoor lighting? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  <u>A lighting system will be installed in connection with the proposed project and the lighting to be installed will comply with lighting standards contained in the Town of Clarence Zoning Code.</u></p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):  <u>Pesticides may be utilized for purpose of maintaining landscaping and yards and any pesticides will be applied per the applicable stringent NYSDEC regulations.</u></p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: <u>1-2</u> tons per <u>month</u> (unit of time)</li> <li>• Operation : <u>5.2-6.5</u> tons per <u>month</u> (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: <u>Materials will be recycled as appropriate during construction of the project</u></li> <li>• Operation: <u>Per applicable recycling standards in the Town of Clarence</u></li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: <u>NYSDEC approved facility</u></li> <li>• Operation: <u>NYSDEC approved facility</u></li> </ul>	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

#### E. Site and Setting of Proposed Action

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other (specify): Nursing Home

ii. If mix of uses, generally describe:

There are a mixture of residential uses in close proximity to the Project Site including multifamily to the west and east of the project site. There are also single family homes in nearby residential subdivision and commercial uses on Wehrle Drive as well as a nursing home

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	4	9	
• Forested	0		
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)	0		
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	
• Wetlands (freshwater or tidal)	0		
• Non-vegetated (bare rock, earth or fill)	0		
• Other Describe: <u>Green space and Landscaping</u>	11.5	6.5	

<p>c. Is the project site presently used by members of the community for public recreation?</p> <p>i. If Yes: explain: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?</p> <p>If Yes,</p> <p>i. Identify Facilities:</p> <p>There is an existing nursing home in close proximity to the Project Site on the south side of Wehrle Drive.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>e. Does the project site contain an existing dam?</p> <p>If Yes:</p> <p>i. Dimensions of the dam and impoundment:</p> <ul style="list-style-type: none"> <li>• Dam height: _____ feet</li> <li>• Dam length: _____ feet</li> <li>• Surface area: _____ acres</li> <li>• Volume impounded: _____ gallons OR acre-feet</li> </ul> <p>ii. Dam's existing hazard classification: _____</p> <p>iii. Provide date and summarize results of last inspection: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?</p> <p>If Yes:</p> <p>i. Has the facility been formally closed?</p> <ul style="list-style-type: none"> <li>• If yes, cite sources/documentation: _____</li> </ul> <p>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____</p> <p>iii. Describe any development constraints due to the prior solid waste activities: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?</p> <p>If Yes:</p> <p>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?</p> <p>If Yes:</p> <p>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Yes – Spills Incidents database  <input type="checkbox"/> Yes – Environmental Site Remediation database  <input type="checkbox"/> Neither database         </div> <div style="width: 45%;">           Provide DEC ID number(s): _____            Provide DEC ID number(s): _____         </div> </div> <p>ii. If site has been subject of RCRA corrective activities, describe control measures: _____</p> <p>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?</p> <p>If yes, provide DEC ID number(s): _____</p> <p>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: \_\_\_\_\_

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**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ 5 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No  
If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

Claverack	_____	80 %
Cazenovia	_____	15 %
Other	_____	5 %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ 1.5 feet

e. Drainage status of project site soils: ☐ Well Drained: \_\_\_\_\_ % of site  
☒ Moderately Well Drained: \_\_\_\_\_ 100 % of site  
☐ Poorly Drained: \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: \_\_\_\_\_ % of site  
☐ 10-15%: \_\_\_\_\_ % of site  
☐ 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No  
If Yes, describe: \_\_\_\_\_

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h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☒ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No  
If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☒ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

• Streams:	Name _____	Classification _____
• Lakes or Ponds:	Name _____	Classification _____
• Wetlands:	Name _____	Approximate Size _____
• Wetland No. (if regulated by DEC)	_____	

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No  
If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

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i. Is the project site in a designated Floodway? ☐ Yes ☒ No

j. Is the project site in the 100 year Floodplain? ☐ Yes ☒ No

k. Is the project site in the 500 year Floodplain? ☐ Yes ☒ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☒ No  
If Yes:  
i. Name of aquifer: \_\_\_\_\_

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>None: Project Site is entirely developed _____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>_____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District</li> <li>ii. Name: _____</li> <li>iii. Brief description of attributes on which listing is based: _____</li> </ul>	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes: <ul style="list-style-type: none"> <li>i. Describe possible resource(s): _____</li> <li>ii. Basis for identification: _____</li> </ul>	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>i. Identify resource: _____</li> <li>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</li> <li>iii. Distance between project and resource: _____ miles.</li> </ul>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>i. Identify the name of the river and its designation: _____</li> <li>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> </ul>	

#### F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

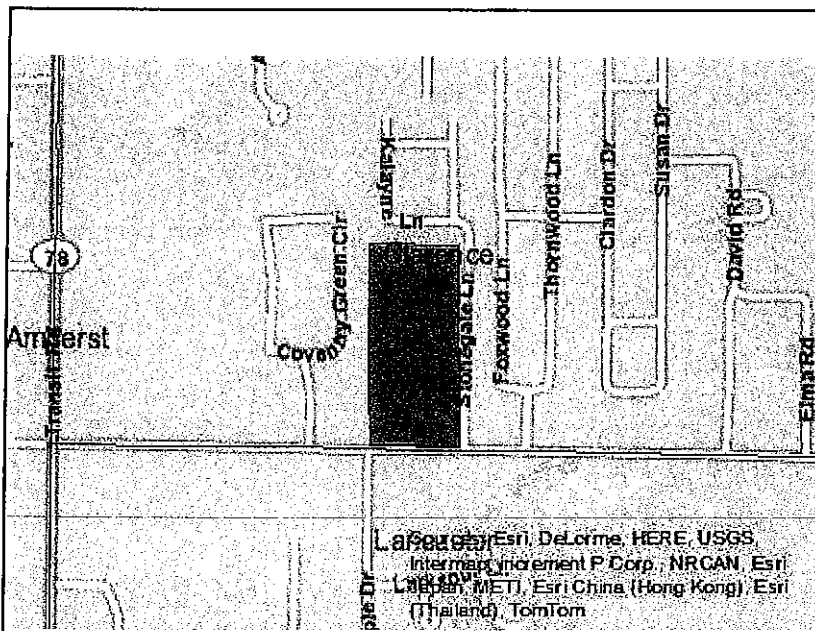
#### G. Verification

I certify that the information provided is true to the best of my knowledge.

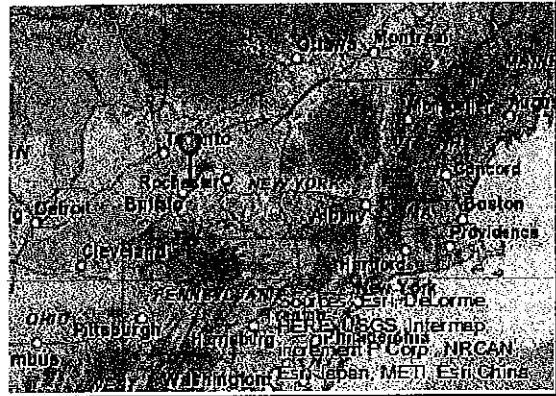
Applicant/Sponsor Name Regent Development Date October 13, 2014

Signature *Shirley A. Hoffman, Attorney for Applicant* Title Attorney for Applicant/Project Sponsor

**PRINT FORM**



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.p. [Rare Plants or Animals]	No

E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

**ATTACHMENT 1 OF PART 1 OF LONG ENVIRONMENTAL  
ASSESSMENT FORM DATED OCTOBER 13, 2014**

**Additional Information Regarding Potential  
Adverse Environmental Impacts – Proposed  
Development of 8230 Wehrle Drive – Town of Clarence**

This Narrative has been prepared on behalf of the Project Sponsor for the purpose providing the Town of Clarence Zoning Board of Appeals (“ZBA”) with additional information for consideration in connection with the coordinated environmental review of the proposed project (“action”) as described in the Part 1 of the Long EAF.

***Question D.2.a(vii) [Page 4] – Will the excavation require blasting?***

**Response:** The Project Sponsor has not yet made a determination whether any blasting will occur in connection with the construction of the proposed project. The depth to bedrock on the Project Site is shallow and additional information regarding potential blasting will be submitted once geotechnical information is available. If blasting is to be used in connection with the construction of the project, it will be conducted by a licensed contractor in accordance with the stringent NYSDEC standards that govern blasting in connection with the construction of projects. Based on the need for any blasting activities to comply with the applicable stringent standards, potential blasting is not a potentially significant adverse environmental impact.

***Question D.2.a(ix) [Page 4] – Summarize site reclamation goals and plan:***

**Response:** The reclamation goal is for there not to be any removal of importing of soils in connection with the project and all disturbed soils during the construction of the project will be subject to the stringent erosion and sediment controls standards for construction activities per the applicable NYSDEC standards.

***Question E.1.b [Page 9] – Questions pertaining to land uses and covertypes on the Project Site.***

The stormwater facility depicted on the Variance Application Plan will not be a water feature and will be utilized for the purpose of storage of stormwater runoff from impervious surfaces as part of the on-site stormwater management system to be constructed in accordance with the applicable stormwater quantity and quality standards as promulgated by the NYSDEC. The Town’s Engineering Department will be reviewing the fully engineered plans and related documentation for the purpose confirming compliance with the applicable stringent standards.

***Question E.2.h [Page 11] – Questions pertaining to Surface Water Features:***

**Response:** The EAF Mapper Summary Report utilized to generate answers to questions in Part 1 of the Long EAF indicates that “wetlands or other water bodies adjoin the

project site". There are not any wetlands subject to the jurisdiction of the NYSDEC or the United States Army Corps of Engineers ("USACE") located on the Project Site and the proposed project will not have any impacts on wetlands subject to the jurisdiction of either the NYSDEC or USACE.

***Question E.2.o [Page 12] – Does the project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?***

**Response:** The EAF Mapper Summary Report utilized to generate answers to questions in Part 1 of the Long EAF indicates that the answer to the above question is "Yes". Metzger Civil Engineering PLLC has evaluated the answer to this question and determined that the NYSDEC has a record of northern tansy mustard on or in the vicinity of the Project Site based on a sighting in 1937 and that given the entire Project Site is manicured, this plant type does exist on the Project Site.

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**EXHIBIT B – CORRESPONDENCE ISSUED BY  
DAVID DENK, REGIONAL PERMIT  
ADMINISTRATOR, NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION (“NYSDEC”)  
DATED MAY 20, 2014**

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**New York State Department of Environmental Conservation**  
**Division of Environmental Permits, Region 9**  
270 Michigan Avenue, Buffalo, New York 14203-2915  
Phone: (716) 851-7165 Fax: (716) 851-7168  
Website: [www.dec.ny.gov](http://www.dec.ny.gov)



Joe Martens  
Commissioner

May 20, 2014

Mr. James Callahan  
Town of Clarence Planning & Zoning Department  
One Town Place  
Clarence, New York 14031

Dear Mr. Callahan:

**SEQR LEAD AGENCY SOLICITATION  
WEHRLE DOME APARTMENTS AND  
COMMERCIAL SPACE  
TOWN OF CLARENCE, ERIE COUNTY**

In response to the Town of Clarence's SEQR Lead Agency solicitation letter for the above-noted project, please be advised of the following:

1. Since project activities will involve land disturbance of 1 acre or more, the project sponsor, owner or operator is required to obtain a State Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001). This General Permit requires the project sponsor, owner or operator to control stormwater runoff according to a Stormwater Pollution Prevention Plan (SWPPP), which is to be prepared prior to filing a Notice Of Intent (NOI) and prior to commencement of the project. More information on General Permit GP-0-10-001, as well as the NOI form, is available on the Department's website at [www.dec.ny.gov/chemical/43133.html](http://www.dec.ny.gov/chemical/43133.html).

The project is located in a portion of the Town of Clarence that is designated as an MS4 community. The project sponsor, owner or operator of a construction activity that is subject to the requirements of a regulated, traditional land use control MS4 shall have their SWPPP reviewed and accepted by the MS4 community. The "MS4 SWPPP Acceptance" form must be signed by the principle executive officer or ranking official from the MS4 community, or by a duly authorized representative of that person, and submitted, along with the NOI form, to the Department at NOTICE OF INTENT, NYSDEC, Bureau of Water Permits, 625 Broadway, Albany, New York 12233-3505, telephone: 518/402-8111 to receive Department approval before construction commences.

2. The majority of the site appears to be within an archaeologically sensitive area, as shown on the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) map (Website [www.oprhp.state.ny.us/nr/main.asp](http://www.oprhp.state.ny.us/nr/main.asp)). As part of the SEQR process, the Town of Clarence should evaluate this concern, unless it can be verified by appropriate documentation that the site has been

Mr. James Callahan  
May 20, 2014  
Page 2

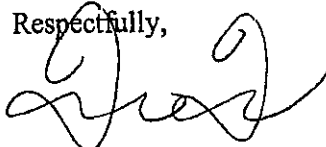
significantly disturbed in a way that would destroy potential artifacts. If there are any questions regarding this, contact OPRHP (telephone: 518/237-8643). Note: If any of the described Department approvals are required, an appropriate archaeological investigation must be conducted in order to satisfy the New York State Historic Preservation Act.

- 4 You have indicated in Exhibit "A" that blasting may occur. If necessary, all dynamite or other blasting operations shall be performed by a person officially licensed by the State of New York. Those operations shall be conducted in a manner to insure complete public safety and prevent property damage.

We concur that the Town of Clarence should act as SEQR Lead Agency, as the environmental impacts of the proposal are primarily of local significance.

Thank you for providing this office the opportunity to review the proposed project. If you have any questions, please feel free to contact Mr. Mark Passuite or me at 716/851-7165.

Respectfully,



David S. Denk  
Regional Permit Administrator

MFP:

cc: Sean Hopkins, Esq., Regent Development

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**EXHIBIT C – COPY OF NEGATIVE  
DECLARATION ISSUED BY THE  
TOWN BOARD PURSUANT TO SEQRA  
ON AUGUST 27, 2014**

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**State Environmental Quality Review  
Negative Declaration  
Notice of Determination of Non-Significance**

DATE: August 27, 2014

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Clarence Town Board as Lead Agency has determined that the proposed action described below will not have a significant impact on the environment and a Draft Impact Statement will NOT be prepared.

**Project Name:** Wehrle Dome Mixed Use Development

**Project Number:** TOC51414

**Location of Project:** 8230 Wehrle Drive, Town of Clarence, Erie County

**Lead Agency:** Town of Clarence Town Board

**SEQRA Status:** Type I Action

**Description of Action:** Development of a proposed 124 unit residential multiple family housing project including reuse of an existing 11,240 square foot commercial structure and the construction of a new 15,280 square foot commercial structure all located on 15.5 +/- acres in the Commercial Zoning District and within Erie County Sewer District #5.

The reasons supporting this determination are as follows:

The Town of Clarence Town Board has thoroughly reviewed the proposed site plan and Environmental Assessment Forms as well as all supporting documentation and meeting minutes associated with the project. Analysis has concluded that there would be no significant impacts to the environment as summarized herein:

- The proposed project lies within the Commercial Zone within the Town of Clarence and is identified as a Special Exception Use Permit use within this Zoning Classification. In addition all conditions as identified in the Zoning Law and NYS Building Code will be met.
- Erie County Health Department and Town Engineer must review and approve all utility connections.
- Wetland impacts are avoided as no jurisdictional wetlands are identified on the property.

- The project site lies within the boundaries of Erie County Sewer District #5 and will be subject to downstream capacity analysis and other requirements of the Erie County Sewer District
- Impacts to surface and groundwater will be non-significant to the overall developed site. A SPDES Permit as issued by the NYSDEC and a Stormwater Management Plan as approved by the Town Engineer will reduce potentially large impacts to non-significant levels.
- No impacts to threatened or endangered species are identified.
- No impacts to cultural resources are identified.
- No impacts to agriculture lands are identified.
- Traffic impacts may become significant over time and future mitigation may be required. As a condition of the Special Exception Use Permit, the applicant will be responsible for a post development traffic analysis as identified by the Erie County DPW to determine full build out impacts and if any future mitigations will be necessary.
- Noise and odor impacts will be reduced via the amended building design and the substantial landscaping required via the site plan approval. No blasting will be conducted during construction or on any part of the project development.
- The Environmental Review was based upon the maximum development potential of the site and future Town action may involve a reduction in the overall project development but may not allow for any additional development of the property.

The Clarence Town Board formally issues a Negative Declaration on this action as of August 27, 2014.

All facts and findings of this review are on file at the Town of Clarence Planning and Zoning Department, One Town Place, Clarence, New York 14031. These files may be examined by the public between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday. Written comments may be submitted to the Director of Community Development.

 8-27-14

James Callahan, Director of Community Development  
Department of Planning and Zoning

For further information contact:

Mr. James Callahan at the Planning and Zoning Department (716) 741-8933